

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM MCCONNELL	:	CIVIL ACTION
	:	
v.	:	
	:	
SECRETARY OF THE TREASURY	:	NO. 15-3511

MEMORANDUM

GOLDBERG, J.

ad
JULY 29, 2015

Plaintiff William McConnell brings this civil action against the Secretary of the Treasury. He seeks leave to proceed *in forma pauperis*. The Court will grant plaintiff leave to proceed *in forma pauperis* and dismiss his complaint.

Plaintiff's complaint is full of legal terms. The true basis for his claims is somewhat difficult to understand. Plaintiff purports to be "invoking a court of inherent equity to protect the interest of a private trust." He also claims he is the "cestui que of a private trust that cannot be trespassed upon," and that he was "injured by a lower court action and . . . inadvertently abandoned certain unalienable rights of beneficial interest by mistake and [is] now enforcing same to claim equitable title by nature to all the rights in that entity." Among other things, he seeks "a full accounting on the trust res CP-09-CR-0002712-1976."

Plaintiff's motion to proceed *in forma pauperis* is granted because he has satisfied the requirements set forth in 28 U.S.C. § 1915. Accordingly, 28 U.S.C. § 1915(e)(2)(B)(i) requires the Court to dismiss the complaint if it is frivolous. A complaint is frivolous if it "lacks an arguable basis either in law or in fact," *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), and is legally baseless if it is "based on an indisputably meritless legal theory." *Deutsch v. United*

States, 67 F.3d 1080, 1085 (3d Cir. 1995). As plaintiff is proceeding *pro se*, the Court must construe his allegations liberally. *Higgs v. Att'y Gen.*, 655 F.3d 333, 339 (3d Cir. 2011).

The Court cannot discern a nonfrivolous basis for a claim from plaintiff's complaint. To the extent plaintiff is suggesting that this Court should vacate a criminal conviction or interfere with state criminal proceedings based on a theory of equity, his claims are legally frivolous. Accordingly, the Court will dismiss plaintiff's complaint without leave to amend because amendment would be futile. An appropriate order follows, which shall be docketed separately.